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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ODALYS ZAMORA-YARINE,

Plaintiff,

vs.

SONESTA INTERNATIONAL HOTELS
CORPORATION, a foreign corporation d/b/a
SONESTA SIMPLY SUITES LAS VEGAS;
DOES NEVADA CITIZEN 1; DOES 2 through
20, inclusive; and ROE BUSINESS ENTITIES
1 through 20, inclusive,

Defendants.

Case No.: 2:24-CV-02120

**~~PROPOSED~~ JOINT DISCOVERY PLAN
AND SCHEDULING ORDER
SUBMITTED IN COMPLIANCE WITH
LR 26-1(b)**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Pursuant to Local Rule 26-1(b), the parties submit their proposed Discovery Plan and Scheduling Order. Deadlines that fall on a Saturday, Sunday, or legal holiday have been scheduled for the preceding or next judicial day.

1. **Meeting:** Pursuant to Federal Rule of Civil Procedure (“FRCP”) 26(f), a meeting was held on 3rd day of January and was attended by Evan K. Simonsen, Esq. of CLARK LAW GROUP PLLC for Plaintiff ODALYS ZAMORA-YARINE (“Plaintiff”), Johnathan A. Rich, Esq. of COZEN O’CONNOR, for Defendant SONESTA INTERNATIONAL HOTELS

CORPORATION “(Defendant”) (collectively, the “PARTIES”).

2. **Pre-Discovery Disclosures**: Pursuant to FRCP Rule 26(a)(1)(C), the parties believe fourteen (14) days are required to make their initial disclosures. Accordingly, Plaintiff and Defendant will make their pre-discovery disclosures, including but not limited to any Computation(s) of Damages of lost wages, and past and future medical expenses required pursuant to FRCP 26(a)(i)(A)(iii), by January 17, 2025.

3. **Areas of Discovery**: The parties agree that the areas of discovery should include, but not be limited to: liability, causation, damages, and all claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

4. **Discovery Plan**: The parties propose the following discovery plan:

A. **Discovery Cut-off Date(s)**: LR 26-1(b)(1) provides that “unless otherwise ordered, discovery periods longer than one hundred eighty (180) days from the date the first defendant answers or appears will require special scheduling review.” The parties jointly request a change to LR 26-1(b)(1) to extend the discovery period. Plaintiff Odalys Yarine Zamora (hereinafter “Plaintiff”) commenced this action by filing a Complaint on September 24, 2024, in the Eight Judicial District Court Case Number A-24-902438-C naming Defendants Sonesta International Hotels Corporation, a foreign corporation dba Sonesta Simply Suites Las Vegas (hereinafter “Defendants”). Service of the Summons and Complaint was made on the Corporation Service Company, the registered agent for Sonesta International Hotels Corporation on October 24, 2024. Defendant first appeared in this matter by filing a Petition for Removal in the District Court of Clark County Nevada Case Number A-24-902438-C (ECF No. 1) on November 13, 2024, and an Certificate of Interested Parties (ECF No. 2) on November 13, 2024. On November 27, 2024, Defendants filed Statement regarding Removal (ECF No.7) in response to the Court’s Minute Order (ECF No. 3) . If the discovery period is calculated from the date Defendant filed its answer, the parties would not even have a full six month discovery period considering discovery would conclude by May 19, 2025. Further, Plaintiff has asserted substantial damage claims which will require the

involvement of many providers for the incident. Finally, Plaintiff may continue to incur damages which will require a substantial amount of discovery and numerous subpoenas.

The parties therefore request that the discovery period be calculated as two hundred forty (240) days from the date of the FRCP 26(f) conference which occurred on January 3, 2025, such that discovery closes on September 1, 2025¹.

B. **Amending the Pleadings and Adding Parties**: The parties shall have until June 3, 2025, to file any motions to amend the pleadings to add parties. This is 90 days before the discovery cut-off date. LR 26-1(b)(2).

C. **FRCP 26(a)(2) Disclosure of Experts**: Disclosure of experts shall proceed according to FRCP Rule 26(a)(2) and LR 26-1(b)(3) as follows: The disclosure of experts and their reports shall occur on or before July 3, 2025. This deadline is 60 days before the discovery cut-off date. The disclosure of rebuttal experts and their reports shall occur on or before August 4, 2025². This deadline is 30 days after the deadline for Initial Expert Disclosures and 30 days before the discovery cut-off date.

D. **Interim Status Report**: The parties shall file the interim status report by July 3, 2025, 60 days before the discovery cut-off date, as required by LR 26-3.

E. **Dispositive Motions**: The parties shall have until October 1, 2025, to file dispositive motions. This is 30 days after the discovery cut-off date, as required by LR 26-1(b)(4).

F. **Pre-Trial Order**: The parties will prepare a Consolidated Pre-Trial Order on or before October 31, 2025, which is 30 days after the date set for filing dispositive motions in the case, as required by LR 26-1(b)(5). This deadline will be suspended if dispositive motions are timely filed until 30 days after the decision of the dispositive motions or until further order of the Court. The disclosure required by FRCP Rule 26(a)(3), and objections thereto, shall be made in the pre-trial order. LR 26-1(b)(6).

¹ August 31, 2025 falls on an Sunday, therefore, the parties agree to move the deadline to the next business day, September 1, 2025;

² August 2, 2025 falls one an Saturday, therefore the parties agree to move the deadline to the following business day, August 4, 2025.

1 G. **Court Conferences:** If the Court has questions regarding the dates proposed by
 2 the parties, the parties request a conference with the Court before entry of the Scheduling Order. If
 3 the Court does not have questions, the parties do not request a conference with the Court.

4 H. **Extensions or Modifications of the Discovery Plan and Scheduling Order:**
 5 LR 26-3 governs modifications or extensions of this Discovery Plan and Scheduling Order. Any
 6 stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order must
 7 be made not later than 21 days before the subject deadline. Any stipulation or motion to extend the
 8 discovery cut-off period must be made no later than December 29, 2025, 21 days before the
 9 discovery cut-off date.

10 I. **Format of Discovery:** Pursuant to the electronic discovery amendments to the
 11 Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-discovery
 12 issues pertaining to the format of discovery at the FRCP 26(f) conference. The parties do not
 13 anticipate discovery of native files or metadata at this time, but each party reserves the right to make
 14 a showing for the need of such electronic data as discovery progresses.

15 5. **Alternative Dispute Resolution:** The parties certify that they met and conferred about
 16 the possibility of using alternative dispute resolution processes, including mediation, arbitration, and,
 17 if applicable, early neutral evaluation. LR 26-1(b)(7). The parties agree that A.D.R. is a possible route
 18 to resolution of this matter.

19 6. **Alternative Forms of Case Disposition:** The parties have conferred on this issue and
 20 believe A.D.R. is a viable options for them. LR-26-1(b)(8)

21 7. **Electronic Evidence:** The parties certify that they may present evidence in electronic
 22 format to jurors for the purpose of jury deliberations in compliance with the Court's electronic jury
 23 evidence display system. LR 26-1(b)(9).

24 8. **Reason for Special Scheduling Review Request:**

25 The dates herein have been set out beyond the standard One hundred eighty (180) days from
 26 the date of the filing of a responsive pleading from the first answering defendant for the following
 27 reason. Defendant answered timely on November 19, 2024. This action was removed November 13,
 28

2024, and if discovery were to start from the time of Defendant's Answer in this matter, the parties would not have the appropriate amount of time to perform discovery given Plaintiff's substantial damage claims, the multiple experts that will be required for the alleged injuries, the extensive damages, and the potential for future damages at this time. The parties intend to begin discovery immediately but believe extensive discovery will be required including a possible Fed. R. Civ. P. 35 examination, as well as the retention and disclosure of multiple medical experts once subpoenaed records are provided.

Therefore, in order for parties to have sufficient time to complete discovery, the parties request the deadlines commence from the date of the Fed. R. Civ. P. 26(f) conference. LR 26-1(a).

DATED this 3rd day of January 2025.

DATED this 3rd day of January, 2025.

CLARK LAW GROUP, PLLC

COZEN O'CONNOR

/s/ Evan K. Simonsen

Jonathan A. Rich, Esq.

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IT IS SO ORDERED this 4th day of January 2025.


UNITED STATES MAGISTRATE JUDGE